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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,970	01/17/2001	Philippe Mace	PF980045	1467

7590 06/09/2003
Joseph S Tripoli
Thomson Multimedia Licensing Inc
Patent Operations CN 5312
Princeton, NJ 08543-0028

EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/743,970

Applicant(s)

MACE, PHILIPPE

Examiner

Trang U. Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-10 and 14-16 is/are rejected.
- 7) ☒ Claim(s) 3-5 and 11-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 6-10 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Yagasaki (EP 0 765 082 A2).

In considering claim 1, Yagasaki discloses all the claimed subject matter, note 1) the claimed wherein said device comprises a circuit (MP) for calculating a minimum duration (d) of utilization of the data, which is proportional to the amount (L) of data contained in the data set is met by the address controller 84 which generates write and read address control signals from the address list stored in the memory 86 based on the supplied data amount signal and the time and position data by the coder 78 and from Fig.12, the larger amount of data, the longer time display (Fig.7, col. 6, line 32 to col. 29 and col. 11, line 11 to col. 12, line 16).

In considering claim 2, the claimed wherein the minimum duration (d) is an increasing function of the size of an area of the memory empty of data is met by the empty area of the buffer memory 82 (Fig. 12, col. 11, line 11 to col. 12, line 16).

In considering claim 6, the claimed wherein the area of the memory for storing the processed data intended to be utilized is divided into various memory spaces each containing a data set and wherein said device comprises a counter for tagging the

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various memory spaces as they are being filled so that the utilized data are those contained in the memory space tagged first is met by the buffer memory 104 (Figs. 8 and 12, col. 11, line 11 to col. 12, line 16).

In considering claim 7, the claimed wherein the detected data set represents a subtitle consisting of coded data detected in a flow of data conveyed according to the MPEG 2 System transport standard and wherein the processing circuit is a circuit for decoding the coded data, the utilization of the data being the displaying of the decoded data on screen is met by the MPEG encoder (Fig. 1, col. 1, line 1 to col. 2, line 11).

In considering claim 8, the claimed a decoder operating as claimed in the MPEG 2 video standard, wherein said decoder comprises the device as claimed in claim 7 is met by the MPEG encoder (Fig. 1, col. 1, line 1 to col. 2, line 11).

Claims 9-10 are rejected for the same reason as discussed in claims 1-2, respectively.

Claims 14-15 are rejected for the same reason as discussed in claims 6-7, respectively.

In considering claim 16, the claimed wherein the minimum duration (d) of display of the decoded data is proportional to a parameter (m) dependent on weighting means related to the language in which the subtitle is to be displayed is met by the larger amount of data, the longer time display (Fig. 12, col. 6, line 32 to col. 29 and col. 11, line 11 to col. 12, line 16).

Allowable Subject Matter

3. Claims 3-5 and 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cookson et al (US Patent No. 5,576,843) disclose system and method for controlling play of multiple dialog audio tracks of a software carrier.

Tsukagoshi (US Patent No. 5,684,542) discloses video subtitle processing system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trang U. Tran** whose telephone number is **(703) 305-0090**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TT TT
June 1, 2003



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600